



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins CO 80527-2400

MAIL

JUL 19 2005

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION ON PETITION
TO WITHDRAW HOLDING OF
ABANDONMENT

In re Application of
Paul Clinton Coffin, et al.
Application No. 09/938,155
Filed: August 23, 2001
For: **SYSTEMS AND METHODS FOR PROVIDING
AUTOMATIC ACCESS TO DATA MEDIA IN A
DATA STORAGE SYSTEM**

This is a decision on the request for reconsideration, filed June 30, 2005. No fee is required.

This application was held as abandoned for failure to timely respond to the non-final Office action mailed on December 23, 2003. A Notice of Abandonment was mailed September 29, 2004.

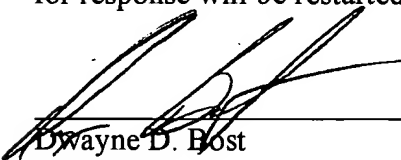
Petitioner alleges that the non-final Office action was not received.

The showing required to establish the failure to receive an Office communication must include a statement from the practitioner stating that the Office communication was not received by the Practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the non-received Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See "Withdrawing the Holding of Abandonment When Office Actions Are Not Received", 1156 Official Gazette 53 (November 16, 1993) and M.P.E.P. § 711.03(c). The showing outlined above may not be sufficient if there are circumstances that point to a conclusion that the Office communication may have been lost after receipt rather than a conclusion that the Office communication was lost in the mail.

Petitioner has satisfied the requirements set forth above. Accordingly, the application file was not abandoned in fact and the holding of abandonment is withdrawn.

The petition is **GRANTED**.

Given the original mailing date of the non-final Office action, the application will be returned to the examiner for updates as appropriate and generation of a new Office action. The time period for response will be restarted from the mail date of the new Office action.


Dwayne D. Bost
Special Program Examiner
Technology Center 2600
Communications